

3

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

THE SUNTAG LAW FIRM
A Professional Corporation
DANA A. SUNTAG (California State Bar No. 125127)
ZOEY P. MERRILL (California State Bar No. 268331)
The Kress Building
20 North Sutter Street, Fourth Floor
Stockton, California 95202
Telephone: (209) 943-2004
Facsimile: (209) 943-0905

Proposed Attorneys for Chapter 7 Trustee
GARY R. FARRAR

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In Re:)
HANNY GEUL MEYER,)
Debtor.)

NO: 10-91675-E-7
DC No.: SLF 2
MOTION FOR AUTHORIZATION TO
SELL THE ESTATE'S INTEREST IN A
VEHICLE
Date: August 25, 2010
Time: 10:30 a.m.
Place: Department E
Honorable Ronald H. Sargis

1 Chapter 7 Trustee Gary R. Farrar respectfully moves for authorization to
2 sell the estate's nonexempt interest in a 2004 Nissan Murano (the "Nissan") to Debtor
3 Hanny Geul Meyer (the "Debtor") for \$4220.

4 The Trustee believes the sale of the estate's interest in the Nissan is in
5 the best interests of the creditors and this Court should approve it pursuant to
6 Bankruptcy Code Section 363(b).

7 The Trustee represents the following:

8 1. On April 30, 2010, the Debtor filed this bankruptcy case. Gary R.
9 Farrar was appointed Chapter 7 Trustee.

10 2. The Debtor disclosed an interest in the Nissan in her Schedules.
11 She valued the Nissan at \$11,260 and claimed \$2725 exempt.

12 3. The nonexempt equity in the Nissan is property of the bankruptcy
13 estate. (Farrar Decl. ¶ 2).

14 4. The Trustee wishes to liquidate the nonexempt equity in the Nissan
15 and obtain maximum value for the estate. (Farrar Decl. ¶ 3).

16 5. The Trustee entered into negotiations with the Debtor, through her
17 attorney. (Farrar Decl. ¶ 4).

18 6. As a result of the negotiations, the Trustee has entered into a
19 proposed sale with the Debtor under which the Debtor will purchase the estate's equity
20 in the Nissan for \$4220 (the "Purchase Amount") (collectively, the "Sale"). (Farrar
21 Decl. ¶ 5, Ex. A).

22 7. The Sale is conditional on Bankruptcy Court approval of this motion
23 and is subject to overbidding at the hearing on this Motion. (Farrar Decl. ¶ 6).

24 8. Bankruptcy Code Section 363(b) provides that a trustee, after
25 notice and a hearing, may sell property of the bankruptcy estate other than in the
26 ordinary course of business.

27 9. The Trustee believes the Sale is in the best interests of creditors.
28 (Farrar Decl. ¶ 7).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

WHEREFORE, the Trustee respectfully requests that the Court grant this motion and that it grant such further and other relief as may be just and proper.

Dated: July 16, 2010

THE SUNTAG LAW FIRM
A Professional Corporation

By: /s/ Dana A. Suntag
DANA A. SUNTAG
Proposed Attorneys for Chapter 7 Trustee
GARY R. FARRAR